



60,246-292; 10,797

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Park, Young K.
Serial No.: 10/716,974
Filed: November 19, 2003
Art Unit: 3753
Examiner: Walberg, Teresa J.
Title: **MULTI-TUBE IN SPIRAL HEAT EXCHANGER**

**PETITION TO REQUEST WITHDRAWAL
OF HOLDING OF ABANDONMENT**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby submits the Issue Fee and executed Fee Transmittal for the above-referenced matter. Applicant requests that the Patent Office accept the late payment of the issue fee. Applicant only recently learned that a Notice of Allowance was mailed on February 27, 2006. According to the Examiner this notice was returned to the Patent Office as undelivered. Accordingly, Applicant was unaware that the Notice of Allowance had been granted until a telephone call from the Examiner of July 11, 2006. The due date for the issue fee was May 30, 2006, so this application is now technically abandoned. A copy of the Declaration of Beth A. Beard, legal assistant for Carlson, Gaskey & Olds, P.C., is included describing the conversation with the Examiner.

Applicant hereby requests withdrawal of the holding of abandonment and that the issue fee be accepted.

In the alternative, Applicant requests that the issue fee be accepted because the entire delay in filing the required reply from the due date for the reply until the filing of a petition pursuant to 37 CFR 1.137(b) was unintentional.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 03-0835 in the name of Carrier Corporation for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS, P.C.

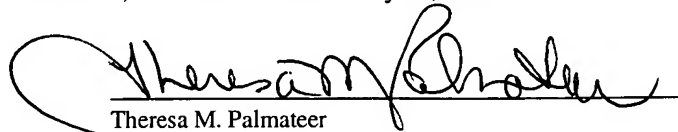
By: 

Anthony P. Cho, Reg. No. 47,209
400 W. Maple Road, Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: July 17, 2006

CERTIFICATE OF MAILING

I hereby certify that the enclosed Petition relative to Application Serial No. 10/716,974, is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on July 17, 2006.


Theresa M. Palmateer



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DECLARATION

I, Beth A. Beard, declare the following statements are made of my own personal knowledge and are true or believed to be true:

1. I am a legal assistant employed by Carlson, Gaskey & Olds, P.C.
2. On July 11, 2006, Examiner Teresa Walberg called our office regarding Application No. 10/716,974. The Examiner stated that the Notice of Allowance had been returned to the United States Patent Office as "undeliverable." I confirmed with the Examiner that the mailing address indicated on the Notice of Allowance was correct.
3. The Examiner was unsure why the Notice of Allowance was returned to the United States Patent Office and instructed me to download the Notice of Allowance from PAIR.
4. I downloaded the Notice of Allowance from PAIR and had the Notice of Allowance placed in the mail slot of the attorney responsible for prosecuting this case, which was then forwarded to him.

The Declarant has been warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 17, 2006.


Beth A. Beard